

**IOWA DEPARTMENT OF NATURAL RESOURCES
CONSENT AMENDMENT TO ADMINISTRATIVE ORDER**

IN THE MATTER OF:

**GREAT RIVER, L.C., RIVER
HIGHLANDS HOMEOWNERS
ASSOCIATION, RIVER HIGHLANDS
WATER SYSTEM ASSOCIATION
LeClaire, Iowa
Water Supply Facility No. 8245303**

**CONSENT AMENDMENT TO
ADMINISTRATIVE ORDER**

NO. 2008-WS-06-A1

To: Michael Guy, President
River Highlands Homeowners Association
23880 281st Avenue
LeClaire, Iowa 52753

Administrative Order No. 2008-WS-06 (order) was issued to Great River, L.C., River Highlands Homeowners Association (River Highlands HOA), and River Highlands Water Association (River Highlands Water) on November 26, 2008 by the Iowa Department of Natural Resources (Department). The order assessed a \$10,000.00 administrative penalty to Great River, L.C and a \$4,000.00 penalty to River Highlands HOA and River Highlands Water. The order was issued due to failure to apply for and be issued a water supply operation permit and operation without such a permit, failure to establish viability of the public water supply system, and failure to have a certified operator. River Highlands HOA filed a timely notice of appeal concerning the order. River Highlands HOA proposed that it pay a \$750.00 administrative penalty and pay a \$750.00 Supplemental Environmental Project (SEP) to resolve the issue of the \$4,000.00 penalty, the only issue remaining to be resolved. The Department proposed this administrative consent amendment to settle the appeal and to avoid the costs and time expenditures of litigation. River Highlands HOA has accepted the proposed settlement of the appeal in the form of this administrative consent amendment and agrees to dismiss the appeal of the order. The following administrative consent amendment is agreed to by the parties.

1. Section I. Summary is rescinded and replaced by the following.

This administrative consent amendment to the order is agreed to by River Highlands HOA and the Department. This administrative consent amendment requires River Highlands HOA to comply with the following requirements:

Pay an administrative penalty of \$750.00. The amount of \$750.00 is due to the Department within thirty days of receipt of the administrative consent amendment signed by both parties. River Highlands HOA may elect to pay a \$750.00 SEP in lieu of payment of the remaining \$2,500.00 to the Department as set forth in this administrative consent amendment.

2. Section II. Jurisdiction remains the same as in the order and is incorporated by reference into this administrative consent amendment.

3. Section III. Statement of Facts, paragraphs 1- 17, remains the same as in the order and is incorporated by reference into this administrative consent amendment. Paragraph 18 is added to this administrative consent amendment as follows:

18. River Highlands HOA corrected the deficiencies in the River Highlands HOA PWS system and established that it is a viable PWS to the Department. This PWS additionally applied for and received a construction permit from the Department to construct a second well to serve the PWS, at a considerable cost to the PWS. River Highlands HOA applied for and received a water supply operation permit from the Department following issuance of a Notice of Violation (NOV) letter from the Department. River Highlands HOA additionally hired a certified operator in response to the NOV letter from the Department and has retained a certified operator to date.

4. Section IV. Conclusions of Law in the original order are adopted and incorporated by reference into this administrative consent amendment to the order.

5. Section V. Order is amended by rescinding Section V. and replacing it with new Section V., which reads as follows:

Therefore, the Department orders and River Highlands HOA agrees to comply with the following provisions in order to cease, abate, and redress the above-cited violations.

1. River Highlands HOA agrees to dismissal of the appeal of Administrative Order No. 2008-WS-06.

2. Payment of an administrative penalty of \$750.00 is due to the Department within thirty days of receipt of this administrative consent amendment signed by both parties. River Highlands HOA may elect to pay the amount of \$750.00 as a SEP to the Scott County Conservation Board (SCCB) or to the Nahant Marsh Education Center in lieu of payment of \$2,500.00 to the Department as the remainder of the original \$4,000.00 administrative penalty assessed by the order. If River Highlands HOA elects to pay the SEP, payment of the SEP is required to be made within thirty days of receipt of this administrative consent amendment signed by both parties. River Highlands HOA is required to document payment of the SEP to the Department's Legal Services Bureau within fifteen days of payment of the SEP. If payment of the \$750.00 administrative penalty to the Department or payment of the SEP are not made by River Highlands HOA within 30 days of receipt of the administrative consent amendment signed by both parties, a payment of \$2,500.00, the remainder of the original administrative penalty assessed by the order, is due to the Department within 60 days of receipt of the administrative consent amendment signed by both parties.

6. Section VI. Penalty is adopted by reference and incorporated into this administrative consent amendment. River Highlands HOA has agreed to payment of an administrative penalty and an SEP as stated in Section V. Order above. If River Highlands HOA meets the requirements for payment of the settlement amount of \$750.00 for the administrative penalty and payment of a \$750.00 SEP as set forth in this administrative consent amendment, the \$2,500.00 remainder of the original \$4,000.00 administrative penalty discussed in this Section is waived.

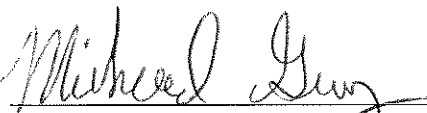
7. Section VII. Appeal Rights is rescinded and replaced by the following:

VII. Waiver of Appeal Rights

This administrative consent amendment to the order is entered into knowingly and with the consent of River Highlands HOA. For this reason, River Highlands HOA waives the right to appeal this administrative consent amendment to the order and agrees to dismissal of the appeal of Administrative Order No. 2008-WS-06. In all other respects, the order remains in full force and effect.

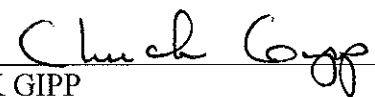
8. Section VIII. Noncompliance remains unchanged and is incorporated by reference into this administrative consent amendment.

For questions contact:
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Iowa Department of Natural Resources
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Des Moines, Iowa 50319-0034
(515) 281-6267


MICHAEL GUY, PRESIDENT
RIVER HIGHLANDS HOMEOWNERS
ASSOCIATION

Dated this 18th day of

February, 2014.


CHUCK GIPP
DIRECTOR
IOWA DEPARTMENT OF NATURAL RESOURCES

Dated this 26th day of

February, 2014.

River Highlands Homeowners Association- Water Supply Facility No. 8245303, Mark Heiderscheit- Field Office No. 6, Daryl Enfield, P.E.- Water Supply Engineering Section, Anne Pham- Water Supply Operations Section- Diana L. Hansen- Legal Services Bureau, US EPA Region VII, II.B1.

The first part of the paper is devoted to a discussion of the general principles of the theory of the structure of the atom. It is shown that the structure of the atom is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles. The second part of the paper is devoted to a discussion of the experimental results obtained in the study of the structure of the atom. It is shown that the experimental results are in good agreement with the theoretical predictions of quantum mechanics.